REMARKS

This is in response to the Office Action mailed November 22, 2000. The allowance of claims 8-19 and indication of allowable subject matter in claims 2-6 are noted with appreciation. Reconsideration of the rejection of claims 1 and 7 is respectfully requested.

Claim 1 describes a waterless cooking vessel assembly comprising, among other elements, a thermometer including a probe extending through the lid. Claim 7 describes a method of waterless cooking. Waterless cooking involves cooking at low temperatures and pressures, using little or no water.

Claims 1 and 7 were rejected under 35 U.S.C. 102(b) as being anticipated by Bauer U.S. Patent No. 4,330,069. Bauer discloses a steam pressure cooker which is intended to operate at high temperature and pressures. As such, it includes a safety valve with means for adjusting its release pressure, a pressure indicator and a safety locking device. Bauer, col. 1, lines 25-31, and col. 1, line 68 through col. 2, line 5.

In the embodiments of Figs. 1 and 2 in Bauer, no temperature indicator is included. However, in the third embodiment, shown in Figs. 3 and 4, a temperature indicator is included.

The temperature indicator appears to have been included in the third embodiment of Bauer only as a afterthought, and Bauer fails to provide an enabling disclosure of how such a temperature indicator would be incorporated in a pressure cooker. The temperature indicator is shown simply supported in an opening in the handle. Although this might, at first glance, seem practical, consideration of the pressure that would be expected to build in the steam pressure cooker indicates that this embodiment would be inoperative. Simply put, the pressure would blow the temperature indicator off of the vessel.

In addition to being inoperative, the cited embodiment of Bauer fails to anticipate the subject matter of claims 1 and 7 as amended, i.e., a waterless cooking vessel, or a method of waterless cooking. The pressure cooker of Bauer is fundamentally different from the assembly of claim 1, and operates on principles opposite to those involved in the waterless cooking method of claim 7.

For the reasons set forth above, reconsideration and allowance of all claims are respectfully requested.

A marked up version of the claims is attached.

Should the examiner wish to discuss the application further, the undersigned attorney may be contacted at the telephone number set forth below.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By
Joseph E. Shipley
Registration No. 31,137

Date: May 22, 2001

120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
(312) 577-7000

Version With Markings to Show Changes Made

Please amend claims 1 and 7:

1. (Once Amended) A waterless cooking vessel assembly comprising a pan, a removable lid assembly comprising a lid having a generally convex upper surface and a generally concave lower surface and a peripheral rim, said lid assembly further comprising a knob assembly on said upper surface and defining at least one aperture through said knob assembly and said lid, said lid assembly further comprising a thermometer including a probe extending downward through said aperture and a temperature display, wherein said probe has a bottom end disposed above the rim, said probe containing a temperature sensing device disposed beneath said aperture and within said cooking vessel.

7. (Once Amended) A method of waterless cooking comprising placing one or more food items in a cooking pan having a bottom wall, at least one side wall, and a removable lid assembly, said lid assembly comprising a lid having an upper surface and having a knob assembly on said upper surface and said lid assembly having at least one aperture therethrough, and a thermometer including a probe extending downward through said aperture and a temperature display;

applying heat to the bottom of the pan;

measuring temperature by means of said probe, said probe having a temperature sensing device disposed beneath said aperture and within said pan, above all of said food items to measure temperature between said food items and said lid assembly.